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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RODNEY PATTON #N-90674,)	
)	
Plaintiff,)	
)	
v.)	No. 08 C 1975
)	
WILVIS HARRIS,)	
)	
Defendant.)	

MEMORANDUM ORDER

Rodney Patton ("Patton") has filed a Notice of Appeal from this Court's April 10, 2008 dismissal of his self-prepared 42 U.S.C. §1983 ("Section 1983") Complaint, accompanying his Notice with a handwritten Motion to Continue as a Poor Person. Quite apart from Patton's failure to tender the type of documentation that is required for any such in forma pauperis request (so that this Court might make the calculations needed for that purpose), what he has chosen to omit from his filings is the fact that the documentation furnished to this Court when Patton sought reconsideration of the April 10 dismissal has confirmed that he had previously accumulated three "strikes" countable under 28 U.S.C. §1915(g) before he sought to file this action in the District Court.

That being the case, Congress has decreed that Patton cannot proceed with his proposed appeal unless he first pays the \$455 in filing fees applicable to such an appeal. This Court attaches a copy of its May 2, 2008 memorandum order dealing with that

subject (as a matter of information, the three strikes accumulated before this action was filed were in (1) Case No. 94 C 369, Patton v. Proctor, (2) Case No. 07 C 1761, Patton v. County of Cook and (3) Case No. 07 C 2180, also Patton v. County of Cook¹).



Milton I. Shadur
Senior United States District Judge

Date: May 13, 2008

¹ In that last case our Court of Appeals appears to have denied Patton leave to proceed on appeal in forma pauperis because of this Court's certification that the appeal was filed in bad faith. That being so, it is unclear whether Case No. 07 C 2180 accounts for one or for two strikes (one at the District Court stage and one at the Court of Appeals level). But there is no gainsaying that at a minimum it accounted for a third strike, so as to call 28 U.S.C. §1915(g) into play.